

FILED: September 24, 1993

APPLICANT(S): Wallace et al (INVA)

THE PATENT AND TRADEMARK OFFICE STAMP  
HEREON ACKNOWLEDGES RECEIPT OF THE ABOVE-  
IDENTIFIED APPLICATION, INCLUDING THE FOLLOWING PAPERS:

☒ FEES \$ 710.00

☐ RULE 60 CONTINUATION, WITH:

- ☐ COPY OF ORIGINAL APPLICATION  
☐ COPY OF ORIGINAL DECLARATION  
☐ COPY OF ORIGINAL DRAWINGS (IF ANY)

☐ RULE 60 DIVISIONAL, WITH:

- ☐ COPY OF ORIGINAL APPLICATION  
☐ COPY OF ORIGINAL DECLARATION  
☐ COPY OF ORIGINAL DRAWINGS (IF ANY)

☒ RULE 62

☒ CONTINUATION

(Abandon

☐ DIVISIONAL

Parent)

☐ CONTINUATION-IN-PART

☐ EXTENSION OF TIME

☐ TRADEMARK APPLICATION, WITH:

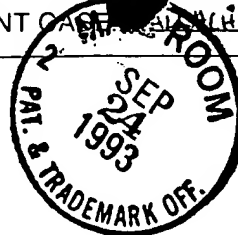
- ☐ DRAWING ☐ SPECIMENS

☐ OTHER \_\_\_\_\_

☐ U.S. NAT'L PHASE OF INT'L APPLN. \_\_\_\_\_

DOCKET NO.: 1 LACH = 4A

[PARENT CASE NO. 07/625,668]



08/126016

☐ NEW ORIGINAL APPLICATION

☐ SUBMISSION UNDER 37 CFR 1.53

☐ CONTINUATION-IN-PART

☐ DESIGN APPLICATION

☐ \_\_\_\_\_ SHEETS OF DRAWINGS

☐ TRANSMITTAL LETTER

☐ PRELIMINARY AMENDMENT

☐ SMALL ENTITY STATEMENT(S)

☐ INFORMATION DISCLOSURE

☐ PRIORITY DOCUMENT(S)

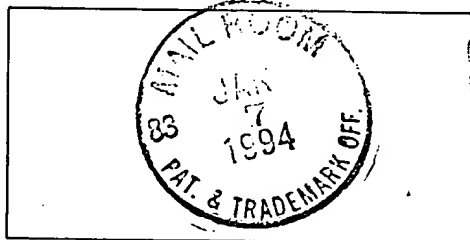
☐ ASSIGNMENT

Initials: tn

2 card of 2

APPLICANT(S) Wallach et al. DKT NO. WALLACH-4A  
SERIAL NO. 08/126, D16 FILED September 24, 1993

THE PATENT AND TRADEMARK OFFICE  
STAMP HEREON ACKNOWLEDGES RE-  
CEIPT OF THE FOLLOWING PAPERS:



- |  |  |
|--|--|
| <input type="checkbox"/> FEES \$ _____ (CHARGE AUTH.)                      | <input type="checkbox"/> ISSUE FEE TRANSMITTAL FORM                  |
| <input type="checkbox"/> MISSING PARTS RESPONSE W/DECL.                    | <input type="checkbox"/> DECLARATION UNDER § _____                   |
| <input type="checkbox"/> AMENDMENT   | <input checked="" type="checkbox"/> INFORMATION DISCLOSURE STATEMENT |
| <input type="checkbox"/> RESPONSE  | <input type="checkbox"/> _____ SHEETS OF DRAWINGS                    |
| <input type="checkbox"/> NOTICE OF APPEAL                                  | <input type="checkbox"/> TRANSMITTAL LETTER                          |
| <input type="checkbox"/> APPEAL BRIEF (TRIPPLICATE)                        | <input type="checkbox"/> MAINTENANCE FEE LETTER                      |
| <input type="checkbox"/> ASSIGNMENT  |  |
| <input type="checkbox"/> EXTENSION OF TIME (_____ MONTHS)                  |  |
| <input type="checkbox"/> PRIORITY DOCUMENT(S)                              |  |
| <input type="checkbox"/> LETTER TO DRAFTSMAN                               |  |
| <input type="checkbox"/> VERIFIED STATEMENT(S) UNDER 37 CFR 1.9 AND 1.27   |  |
| <input checked="" type="checkbox"/> OTHER <u>1 reference, GB-2,215,101</u> |  |

B&N-1

COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	Art Unit: 1812
WALLACH et al.	)	Examiner:
Serial No.: 08/126,016	)	Washington, D.C.
Filed: September 24, 1993	)	July 26, 1994
For: EXPRESSION OF THE RECOMBINANT TUMOR	)	Docket No.: WALLACH=4A

REQUEST FOR STATUS

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

Applicant hereby respectfully requests information  
regarding the status of the above identified patent application.

Respectfully submitted,

BROWDY AND NEIMARK  
Attorneys for Applicant(s)

By:

N. J. Latker  
Norman J. Latker  
Reg. No. 19,963

NJL:bgm  
419 Seventh Street, N.W.  
Washington, D.C. 20004  
Telephone No.: (202) 628-5197  
Facsimile No.: (202) 737-3528

COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:.	)	Art Unit: 1812
WALLACH et al	)	Examiner:
Serial No.: 08/126,016	)	Washington, D.C.
Filed: September 24, 1993	)	July 6, 1995
For: EXPRESSION OF THE RECOMBINANT TUMOR	)	Docket No.: WALLACH=4A

SECOND REQUEST FOR STATUS

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

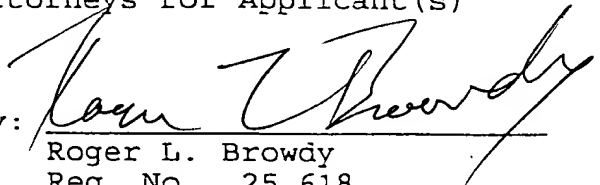
The above-identified application was filed on September 24, 1993. A copy of the official post card receipt indicating what serial number had been assigned is attached hereto. To date, no filing receipt has been received, nor has any other acknowledgement of the filing of this case (other than the attached post card). Another request for status was filed on July 26, 1994, to which no response was ever received.

Applicant hereby respectfully requests information regarding the status of the above identified patent application. The courtsey of an acknowledgment of receipt of this status request is respectfully urged.

Respectfully submitted,

BROWDY AND NEIMARK  
Attorneys for Applicant(s)

By:

  
Roger L. Browdy  
Reg. No. 25,618

419 Seventh Street, N.W.  
Washington, D.C. 20004  
Telephone No.: (202) 628-5197  
Facsimile No. (202) 737-3528

# COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior Application: 07/625,668  
 Examiner: Carlson, K.  
 Art Unit: 1812  
 Date: September 24, 1993  
 Attorney's Docket Number: WALLACH=4A

**Request Form for File Wrapper Continuing Application under 37 CFR 1.62**

Commissioner of Patents and Trademarks  
 Box FWC  
 Washington, D.C. 20231

Sir:

This is a request for filing a (X) continuation ( ) divisional ( ) continuation-in-part application under 37 CFR 1.62 of prior application Serial No. 07/625,668, filed on December 13, 1990, entitled EXPRESSION OF THE RECOMBINANT TUMOR NECROSIS FACTOR BINDING PROTEIN I (TBP-I), by the following named inventor(s):

FULL NAME OF INVENTOR	FAMILY NAME WALLACH	FIRST GIVEN NAME David	SECOND GIVEN NAME
RESIDENCE & CITIZENSHIP	CITY Rehovot	STATE OR COUNTRY Israel	CITIZEN OF Israel
POST OFFICE ADDRESS	POST OFFICE ADDRESS 24 Borochoy Street	CITY Rehovot	ST. & ZIP/COUNTRY Israel
FULL NAME OF 2ND INVENTOR	FAMILY NAME NOPHAR	FIRST GIVEN NAME Yaron	SECOND GIVEN NAME
RESIDENCE & CITIZENSHIP	CITY Ramat Gan	STATE OR COUNTRY Israel	CITIZEN OF Israel
POST OFFICE ADDRESS	POST OFFICE ADDRESS 56, Bialic Street	CITY Ramat Gan 52441	ST. & ZIP/COUNTRY Israel
FULL NAME OF 3RD INVENTOR	FAMILY NAME KEMPER	FIRST GIVEN NAME Oliver	SECOND GIVEN NAME
RESIDENCE & CITIZENSHIP	CITY Bockenheim	STATE OR COUNTRY Germany	CITIZEN OF Germany
POST OFFICE ADDRESS	POST OFFICE ADDRESS Anemonen Weg 10	CITY 6719 Bockenheim	ST. & ZIP/COUNTRY Germany
FULL NAME OF 4TH INVENTOR	FAMILY NAME ENGELMANN	FIRST GIVEN NAME Hartmut	SECOND GIVEN NAME
RESIDENCE & CITIZENSHIP	CITY Munich	STATE OR COUNTRY Germany	CITIZEN OF Germany
POST OFFICE ADDRESS	POST OFFICE ADDRESS Joseph-Lutz-Weg 35	CITY 8000 Munich	ST. & ZIP/COUNTRY Germany

FULL NAME OF 5TH INVENTOR	FAMILY NAME BRAKEBUSCH	FIRST GIVEN NAME Cord	SECOND GIVEN NAME
RESIDENCE & CITIZENSHIP	CITY Braunschweig	STATE OR COUNTRY Germany	CITIZEN OF Germany
POST OFFICE ADDRESS	POST OFFICE ADDRESS Salzdahlumer Weg 9	CITY 3300 Braunschweig	ST. & ZIP/COUNTRY Germany
FULL NAME OF 6TH INVENTOR	FAMILY NAME ADERKA	FIRST GIVEN NAME Dan	SECOND GIVEN NAME
RESIDENCE & CITIZENSHIP	CITY Holon	STATE OR COUNTRY Israel	CITIZEN OF Israel
POST OFFICE ADDRESS	POST OFFICE ADDRESS 4, Avivim Street	CITY Holon	ST. & ZIP/COUNTRY Israel

The above-identified prior application in which no payment of the issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the date which the PTO accepts as the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application. (Note: 37 CFR 1.60 may be used for applications where the prior application is not to be abandoned).

1. ☒ Enter the amendment previously filed on September 24, 1993, under 37 CFR 1.116, but unentered in the prior application. If the examiner enters the amendment of September 24, 1993, in the prior application, then this paragraph is no longer applicable and should be disregarded.

2. ☐ A preliminary amendment is enclosed.

The filing fee is calculated on the basis of the claims existing in the prior application as amended at 1 and 2 above.

For	Number Filed	Number Extra	Rate	Calculations
Total Claims	9	-20 = =	x \$22.00	\$ 0
Independent Claims	3	-03 = =	x \$74.00	0
Multiple Dependent Claim(s) (if applicable)			+ \$230.00	
			Basic Fee	+ 710.00
Total of above Calculations =				710.00
Reduction by 1/2 for filing by small entity (note 37 CFR 1.9, 1.27, 1.28) if applicable. Statement must be of record.				-
Total national fee =				\$ 710.00

3. ☒ The Commissioner is hereby authorized to credit any overpayment of fees to Deposit Account No. 02-4035.

4. ☐ The Commissioner is authorized to charge \$\_\_\_\_\_ to Deposit Account No. 02-4035. A duplicate copy of this sheet is enclosed.

5. ☒ A check in the amount of \$ 710.00 is enclosed.

6. ☐ A new oath or declaration is included since this application is a continuation-in-part which discloses and claims additional matter.

7. ☒ Amend the specification by inserting before the first line the sentence: --This application is a ☒ continuation ☐ divisional ☐ continuation-in-part of application Serial No. 07/625,668, filed December 13, 1990.--

8. ☐ A verified statement claiming small entity status was filed in the prior application.

9. ☒ Priority of applications Serial No. 92697, filed on December 13, 1989, in Israel, and Serial No. 95064, filed on July 12, 1990, in Israel are claimed under 35 U.S.C. 119.

10. ☒ The prior application is assigned of record to Yeda Research and Development Co. Ltd.

11. The power of attorney in the prior application includes the following:

<input checked="" type="checkbox"/> ALVIN BROWDY, Reg. No. 16,260	<input checked="" type="checkbox"/> SHERIDAN NEIMARK, Reg. No. 20,520
<input checked="" type="checkbox"/> ROGER L. BROWDY, Reg. No. 25,618	<input checked="" type="checkbox"/> A. FRED STAROBIN, Reg. No. 18,453
<input checked="" type="checkbox"/> ANNE M. KORNBAU, Reg. No. 25,884	<input checked="" type="checkbox"/> IVER P. COOPER, Reg. No. 28,005
<input checked="" type="checkbox"/> NORMAN J. LATKER, Reg. No. 19,963	

(\* Patent Agent)

Address all future communications to: (May only be completed by applicant, or attorney or agent of record)

ADDRESS ALL CORRESPONDENCE TO: BROWDY AND NEIMARK 419 Seventh Street, N.W. Washington, D.C. 20004	DIRECT ALL TELEPHONE CALLS TO:  BROWDY AND NEIMARK (202) 628-5197
--	--

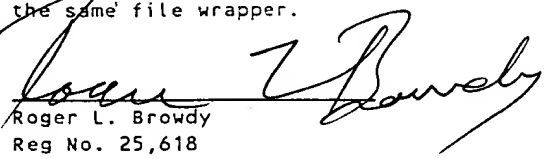
12. ☐ Also enclosed:

The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application to deposit account No. 02-4035. This authorization and request is not limited to payment of any portion of the filing fees under 37 CFR 1.16 not covered by the authorization of paragraphs 4 and 5 above, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of this case. With respect to issue fees arising under 37 CFR 1.18, applicant authorizes payment only on the last day of the period initially set for payment of such fee, if not by then already paid, by charging to the account of the undersigned, No. 02-4035.

The Commissioner is likewise authorized to credit any overpayment to said deposit account.

It is understood that secrecy under 35 U.S.C. 122 is hereby waived to the extent that if information or access is available to any one of the application or a prior application in the same file wrapper, the Patent and Trademark Office may provide similar information or access to all the other applications in the same file wrapper.

September 24, 1993

  
Roger L. Browdy  
Reg No. 25,618

☐ Inventor(s)                      ☒ Attorney or agent of record  
☐ Assignee of                      ☐ Filed under 37 CFR 1.34(a)  
complete interest

RLB:atm



O-103X  
IV. 8-95)FILING RECEIPT  
DUPLICATEUNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
08/126,016	09/24/93	1812	\$710.00	WALLACH4A	7	9	3

BROWDY AND NEIMARK  
419 SEVENTH STREET, N.W.  
WASHINGTON, DC 20004

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Application Processing Division's Customer Correction Branch within 10 days of receipt. Please provide a copy of the Filing Receipt with the changes noted thereon.

## Applicant(s)

DAVID WALLACH, REHOVOT, ISRAEL; YARON NOPHAR, RAMAT GAN,  
ISRAEL; OLIVER KEMPER, BOCKENHEIM, FED REP GERMANY;  
HARTMUT ENGELMANN, MUNICH, FED REP GERMANY; CORD  
BRAKEBUSCH, BRAUNSCHWEIG, FED REP GERMANY; DAN ADERKA,  
HOLON, ISRAEL.CONTINUING DATA AS CLAIMED BY APPLICANT-  
THIS APPLN IS A CON OF 07/625,668 12/13/90TITLE  
EXPRESSION OF THE RECOMBINANT TUMOR NECROSIS FACTOR BINDING PROTEIN I  
(TBP-I)

PRELIMINARY CLASS: 435